

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(Eastern Division)

In re

ANDREW GREENHUT,

Debtor.

Chapter 13
Case No. 19-10782-FJB

**SECOND MOTION OF CREDITOR GITA SRIVASTAVA TO
COMPEL DEBTOR TO WITHDRAW FILING AND REDACT DOCUMENT**
(Emergency Determination Requested)

Gita Srivastava (“Srivastava”), the holder of divorce-related claims against Andrew Greenhut (the “Debtor”), once again moves this Honorable Court to enter an order compelling the Debtor to withdraw exhibits filed in violation of Texas court orders sealing the parties’ divorce records. Although the Debtor has made redactions to the documents, the documents themselves remain subject to an order placing them under seal, and may not be disclosed or publicly filed. In support of this Motion, Srivastava represents as follows:

1. Srivastava previously filed her *Motion of Creditor Gita Srivastava to Compel Debtor to Withdraw Filing and Redact Document* [Doc. No. 50] (the “Motion to Compel”) on an emergency basis on June 19, 2019, in connection with the Debtor’s previously filed *Objection of Debtor to the Amended Proof of Claim of Gita Srivastava Claim No. 8 and Request for Evidentiary Sanctions Under Fed. R. Bankr. Pro. 3001(c)(2)(D)* [Doc. No. 45] (the “Claim Objection”).

2. The Court has scheduled a hearing on the Motion to Compel on June 27, 2019. Pending such hearing, the Court has restricted access to the Claim Objection exhibits, which

include pleadings from the parties' Texas divorce case which are under seal by Texas court order.

3. In response to the Motion to Compel, the Debtor filed his *Motion to Redact and Replace Document* [Doc. No. 57] (the "Motion to Redact"), seeking relief to redact the exhibits to the Claim Objection. The Debtor did in fact redact sensitive personal information on the exhibits, but did also re-file the entire exhibits, including pleadings from the sealed Texas case. In other words, the Debtor has openly re-filed and made publicly available the very documents the Court just restricted access to. Accordingly, Srivastava once again requests that the Court compel the Debtor to withdraw the sealed documents.

4. Srivastava once again also requests emergency determination of this Motion in order to limit the exposure of the sealed documents and minimize any damage to affected parties, including her minor child.

WHEREFORE, for all of the foregoing reasons, Srivastava requests that this Honorable Court enter an order: (i) allowing the Motion; (ii) ordering the Debtor to withdraw Exhibits C and D to the Claim Objection; (iii) awarding Srivastava her fees and costs in connection with this Motion; and (iv) granting Srivastava such other and further relief as just and necessary.

Respectfully submitted,

GITA SRIVASTAVA,

By her attorneys,

/s/ Alex F. Mattera

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Dated: June 20, 2019

CERTIFICATE OF SERVICE

I, Alex F. Mattera, hereby certify that on the 20th day of June 2019 I caused to be served a copy of the above pleading on all parties registered for electronic service through the CM/ECF system.

/s/ Alex F. Mattera

Alex F. Mattera